IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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C.W.P NO. 12527 OF 2006

Date of decision : December 04, 2006

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Surjit Singh Kataria .....Petitioner

Vs.

The Commissioner, Gurgaon Divn. Gurgaon & others .....Respondents

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CORAM: HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S BHALLA

Present: Mr. Sham Lal Bhalla, Advocate for Mr. Sachin Mittal, Advocate for the petitioner(s).
Mr. Ajay Gulati, Assistant Advocate General, Haryana for respondents no. 1 & 2.

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Viney Mittal, J. (Oral)

The office has reported that dasti notices could not be issued to respondent no.3 since no process fee had been deposited by the petitioner. The record of the case shows that on an earlier occasion also i.e August 10, 2006, notice had been issued to respondent no.3 dasti only and the case was adjourned to October 12, 2006. On October 12, 2006, the office has reported that dasti notice issued to respondent no.3 could not be issued for want of process fee.

In these circumstances, fresh notice was issued to respondent no.3 for today and it was again ordered that the said notice be issued dasti only. Since the office has again reported that dasti notices could not be issued for want of process fee, therefore, we dismiss the writ petition for non-prosecution with a liberty to the petitioner to file a fresh petition on the

same cause of action, if so desired.

(VINEY MITTAL)
JUDGE

December 04, 2006
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(H.S BHALLA)
JUDGE